

**UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF LOUISIANA
LAFAYETTE-OPELOUSAS DIVISION**

DARRYL HEDGE

CIVIL ACTION NO. 6:07CV633

VERSUS

JUDGE TUCKER L. MELANÇON

**WARDEN PHELPS
CORRECTIONAL CENTER**

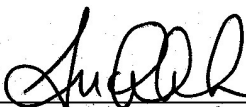
MAGISTRATE JUDGE METHVIN

CERTIFICATE AS TO APPEALABILITY

A notice of appeal having been filed in the above captioned habeas corpus case in which the detention complained of arises out of process issued by a state court, this Court, considering the record in this case and the requirements of Federal Rule of Appellate Procedure 22(b), hereby finds that a certificate of appealability should not issue for the following reasons:

Adopting the analysis contained in the Report and Recommendation of the Magistrate Judge entered on July 18, 2007 [Rec. Doc. 6] and entered as a final judgment on August 22, 2007 [Rec. Doc. 11], this Court finds that there is no basis in law or fact as demonstrated by this record that petitioner is entitled to the relief he seeks.

Signed at Lafayette, Louisiana, this 15th day of October, 2007.



Tucker L. Melançon
UNITED STATES DISTRICT JUDGE

